

Notice of Allowability

Application No.

09/858,096

Applicant(s)

DEISHI ET AL.

Examiner

Art Unit

Javid A. Amini

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/2004.
2. ☒ The allowed claim(s) is/are 2-9,11,14,17 and 18.
3. ☒ The drawings filed on 15 May 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☒ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Javid A Amini
Examiner
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Allowable Subject Matter

Claims 2-9, 11, 14 and 17-18 allowed.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Examiner's amendment

Authorization for this examiner's amendment was given in a telephone interview with Michael DeHaeme on June 21, 2005. Reasons for Examiner's amendment: Re. claim 14, the scope of the preamble "A computer program causing a computer to execute..." determined that a program causes a computer to execute, and does not determine where the program stored. The amended claim 14 is as follows:

A computer-readable medium encoded with a computer program causing a computer to execute a color correction process of correcting image data prepared for a first apparatus having a first Gamut indicative of a range of reproducible colors so as to be applied to a second apparatus having a second Gamut indicative of a range of reproducible colors, said color correction process comprising the steps of:

receiving image data prepared for said first apparatus, and

shifting said received image data by a conversion of shifting a gray axis of said first Gamut towards a gray axis of said second Gamut,

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wherein said shifting step shifts the gray axis of said first Gamut by the amount of shifting in a ratio of 0.5 to 0.9 with respect to the amount of shifting when the gray axis of said first Gamut matches the gray axis of said second Gamut, and

wherein a position of each of said image data along said gray axis is maintained when said image data is shifted.

Examiner's statement of reasons

The following is an examiner's statement of reasons for allowance:

Field of the Invention relates to a color correction method used to convert digital image data of a CRT (cathode ray tube) into image data of a printer. Applicant claims in independent claims 6, 11 and 14 that an image data is shifted according to an amount of shifting corresponding to a distance from the gray axis of the CRT Gamut in a chroma direction, the shifting step shifts the gray axis of CRT by the amount of shifting in a ratio of 0.5 to 0.9 with respect to the amount of shifting when the gray axis of the CRT Gamut matches the gray axis of the printer Gamut.

Examiner's annotation:

The exact positions of the apexes depends on the emission spectra of the phosphors in the CRT (computer monitor), and on the ratio between the maximum luminosities of the three phosphors (i.e., the color balance, RGB). The Gamut of the CMYK color space is, ideally, approximately the same as that for RGB, with slightly different apexes, depending on both the exact properties of the dyes and the light source. The ratio of 0.5-0.9 depends on type, brand and condition of that apparatus.

Numbering of claims:

| New claim number | Old claim number | Type of claim |
|------------------|------------------|---------------|
|------------------|------------------|---------------|

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| | 1 | Cancelled |
| 2 | 2 | Dependent |
| 3 | 3 | Dependent |
| 4 | 4 | Dependent |
| 5 | 5 | Dependent |
| 1 | 6 | Independent |
| 6 | 7 | Dependent |
| 7 | 8 | Dependent |
| 8 | 9 | Dependent |
| | 10 | Cancelled |
| 9 | 11 | Independent |
| | 12 | Cancelled |
| | 13 | Cancelled |
| 10 | 14 | Independent |
| | 15 | Cancelled |
| | 16 | Cancelled |
| 11 | 17 | Dependent |
| 12 | 18 | Dependent |
| | 19 | Cancelled |

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEFFREY L. LEE
PRIMARY EXAMINER

Javid A Amini
Examiner
Art Unit 2672

Javid Amini